

VILLAGE OF ALMONT

AN ORDINANCE SETTING FORTH GENERAL POLICY ON PURCHASING AND SALES: LIMITATIONS OF PURCHASES: NOTICES ON SEALED BIDS: FORM BIDS: METHODS OF HANDLING: EXECUTION OF CONTRACTS: SALE OF REAL PROPERTY: SALE OF PERSONAL PROPERTY: VALIDITY OF CONTRACTS.

THE VILLAGE OF ALMONT ORDAINS:

74.01 The Village Manger is hereby designated as purchasing agent for the Village of Almont.

74.02 General Policy - (a) All purchases shall be evidenced by a purchase order signed by the purchasing officer.

(b) All sales of city property shall be evidenced by a written agreement or contract of sale.

(c) No sale or purchase shall be divided for the purpose of circumventing the dollar value limitations contained in this ordinance.

74.03 Purchases: Limitations on and Requirements Respecting--

(a) The purchasing agent is hereby authorized to make purchases on behalf of the village without consent of the council, where each such purchase shall not exceed the sum of \$500.00.

(b) All purchases in excess of \$500.00 shall only be authorized and ordered by the village council.

(c) All of such purchases which do not exceed the sum of \$1,000.00 may be authorized and ordered by the Village council without the necessity of advertising for sealed competitive bids.

(d) Sealed bids shall be asked for in all transactions involving the expenditure of \$1,000.00 or more and the transaction evidenced by written contract submitted to and approved by the council; provided, however, that this requirement shall not extend to instances involving the employment of professional services, and that it may be waived in instances where the council, by unanimous consent, deems it clearly to the Village's advantage to contract without competitive bidding.

(e) All open market purchases shall, wherever possible, be based on competitive bids which may be solicited by the purchasing officer via telephone or mail. The purchasing officer shall keep a record of all open market orders and the bids submitted in competition thereon; and such records shall also be open to public inspection.

(f) Purchases from public utilities with the Village has a franchise shall not be governed by this ordinance.

74.04 Notices Inviting Sealed Bids. (a) Notices inviting sealed competitive bids shall be published in a newspaper of general circulation within the village or in appropriate trade publications at least four calendar days prior to the final date for submitting bids.

(b) Such notice shall briefly designate the supplies, materials or equipment desired, or the construction project to be undertaken, the amount of the bid bond (corporate surety cash, certified check or cashier's check) required, and the date, time and place of filing and opening of bids. The right shall be reserved to reject any or all bids, or parts thereof.



74.04 continued

(c) The purchasing officer shall mail copies of the official notice to such qualified vendors or contractors as he may deem necessary to give actual notice to interested bidders and to obtain competitive bidding.

74.05 Form of Bids - (a) Bids submitted in response to such notice shall be sealed and be accompanied by the specified bid bond.

74.06 Bids, Method of Handling - (a) Sealed bids shall be opened by the council in public at the time and place specified in the official notice. After opening the bids the council may review the same and act thereon, or may refer them to an appropriate village official or employee for tabulation and/or recommendation before acting thereon.

(b) Any competing bidder may examine the bids and the tabulation.

(c) Upon reviewing the bids, together with any recommendations made with respect to same, the council may reject the bids or determine the lowest responsible bidder or bidders and award the contract or contracts accordingly. Quality offered, delivery terms, and service reputation of the vendor may be taken into consideration in determining the successful bidder.

(d) In case the council determines that it is not possible to choose between two or more bidders to determine which one is the lowest responsible bidder, the successful bidder may be determined by lot, or the council may authorize the purchasing officer to purchase the commodities in the open market and not to exceed the lowest bid price for each such commodity.

74.07 Execution of Contract - (a) After award of a contract as hereinbefore provided, the contract documents, together with a performance bond running to the village and a labor and material bond running to the people of the state and complying with the provisions of Act 187, P.A. 105, as amended (C.L. 1948, Sections 570. 101-570. 105), each of said bonds to be in an amount not less than the total amount of the contract, shall be executed by the successful bidder and submitted to the village attorney for approval and the council for execution.

(b) All bids, deposits of cash or certified or cashier's checks may be retained until the contract is awarded and signed. If any successful bidder fails or refuses to enter into the contract as herein provided, the deposit accompanying the bid shall be forfeited and the council may, in its discretion, award the contract to the next lowest responsible bidder, or readvertise.

74.08 Sale of Property - (a) Whenever any village property, real or personal, is not needed for corporate public purposes, the same may be sold.

(b) Personal property not exceeding \$100.00 in value may be sold for cash by the purchasing officer for the best price obtainable or traded to the vendor of new equipment replacing it.

(c) Personal property with a value in excess of \$100.00 may be sold after advertising and receiving competitive bids, as provided in sections 4 to 6, inclusive, of this ordinance, and after approval of the sale has been given by the village council; or such personal property may be traded to the vendor of new equipment replacing it, upon approval of the village council.


74.08 continued

(d) Real property shall be sold in the same manner as personal property over \$100.00 in value unless the village council shall unanimously determine that it is clearly to the village's advantage to sell such property without competitive bidding. The sale of land which shall have been approved by three-fifths of the village electors voting thereon at any general or special election shall not be subject to the provisions of this article.

74.09 Validity of Contracts - (a) The foregoing provisions of this article, except sec. 74.02 hereof, shall be deemed to establish, in general the procedure to be followed, but shall not be held to be mandatory. Any contract approved by the council and not prohibited by the laws of the state or the provisions of the charter shall be valid even though one or more of the provisions of this article may not have been observed.

74.10 This ordinance shall be adopted in accordance to the Village Charter, chapter 7, sections 7.1 and 7.3 and shall be in full force and effect fifteen days from the date of its adoption by the village council, during which time it shall be published in the Almont Times Herald at least once.

Date Adopted 10-1-68

  
Village President

  
Village Clerk